

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Department of Parks & Recreation

BOARD AGENDA # *B-6

Urgent Routine

AGENDA DATE August 30, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing on October 4, 2011, at 9:10 a.m., to Consider Adoption of Sewer System Management Plans for Modesto Reservoir and Woodward Reservoir Regional Parks

STAFF RECOMMENDATIONS:

Set a Public Hearing on October 4, 2011, at 9:10 a.m., to consider adoption of Sewer System Management Plans for Modesto Reservoir and Woodward Reservoir Regional Parks

FISCAL IMPACT:

There is no fiscal impact as the result of setting a public hearing. Provost & Pritchard, an engineering firm was contracted by the Department of Parks of Recreation for a total of \$13,150 for assistance on this project. Provost & Pritchard conducted an evaluation of the waste water systems at Modesto Reservoir and Woodward Reservoir Regional Parks and drafted the written SSMP documents. The Department will absorb this cost in the Fiscal Year 2011-2012 Adopted Proposed Budget.

(Continued on Next Page)

BOARD ACTION AS FOLLOWS:

No. 2011-504

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Set a Public Hearing on October 4, 2011, at 9:10 a.m., to Consider Adoption of Sewer System Management Plans for Modesto Reservoir and Woodward Reservoir Regional Parks

FISCAL IMPACT (Continued):

This project could lead to additional work related to operations, general maintenance, or repairs. If additional work becomes necessary, it could result in additional expenses. The Department will need to develop a funding strategy for these additional expenses either through existing or outside sources.

DISCUSSION:

On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted statewide general waste discharge requirements for sanitary sewer systems under Order No. 2006-0003 (Order). All Federal and State agencies, municipalities, counties, and districts that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of the Order. Both Modesto Reservoir and Woodward Reservoir Regional Parks have sanitary sewer systems greater than one mile in length that convey untreated wastewater to a treatment facility making Sewer System Management Plans (SSMPs) necessary to comply with the Order. Therefore, the Department of Parks and Recreation (Department) requests the Board of Supervisors to schedule a public hearing to consider adopting the SSMPs.

Order No. 2006-0003 was adopted to address concerns with possible sanitary sewer overflows (SSOs) which contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease, and other pollutants that may cause a public nuisance and/or health hazard. This is of particular concern when raw untreated wastewater is discharged to areas with high public exposure such as surface waters used for drinking, fishing, or body contact recreation such as is available at Modesto and Woodward Reservoir Regional Parks.

The Order requires that SSMPs be adopted and implemented to ensure that sanitary sewer systems are properly funded and managed. The Department is required to develop and implement two SSMPs; one for Modesto Reservoir Regional Park and one for Woodward Reservoir Regional Park. Each SSMP must include provisions that demonstrate proper and efficient management, operation, and maintenance of sanitary sewer systems with consideration of risk management and cost benefit analyses. The SSMPs must also contain a spill response provision that establishes standard procedures for immediate response to SSOd in a manner designed to minimize water quality impacts and potential nuisance conditions and/or health and safety impacts.

Based on the mandates of the Order, the Board adopted a resolution on November 30, 2010, approving the development of required Plans and Schedules. This information was entered into an online SSOs database maintained by the State Water Resource Control Board (SWRCB) along with the resolution adoption date. The Order requires 1,100 agencies to comply with these requirements. As of December 2009, only 50% of the mandated agencies had completed the SSMP Certification (Plan and Schedule). While Modesto Reservoir and Woodward Reservoir are out of compliance with the Order, the Department communicated

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with SWRCB staff and was assured that penalties would not be assessed provided the Department fully implements SSMPs by December 31st 2011. Full compliance of the SSMPs will be established when Plans are considered by the Board, adopted, and transmitted by the Department to the SWRCB.

The Department is now returning to the Board to set a public hearing to consider adopting SSMPs for Modesto Reservoir and Woodward Reservoir Regional Park. Following adoption of the SSMPs, they will be forwarded to the SWRCB for their final review and approval.

POLICY ISSUES:

Approval of this agenda item to set the public hearing to consider Sewer System Management Plans is consistent with the Board's priorities of A Safe Community, A Healthy Community, and A Well Planned Infrastructure System by ensuring that the County take affirmative steps to bring Modesto Reservoir and Woodward Reservoir Regional Parks into compliance with the State of California's discharge requirements for sanitary sewer systems.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Sonya K. Harrigfeld, Director of Environmental Resources Telephone: 209-525-6770

ATTACHMENTS AVAILABLE
FROM YOUR CLERK

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on October 4, 2011, at 9:10 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider adoption of Sewer System Management Plans for Modesto Reservoir and Woodward Reservoir Regional Parks for the Department of Parks and Recreation.


ADDITIONAL NOTICE IS GIVEN that the Sewer System Management Plans will be available for review on September 26, 2011, in the Clerk of the Board Office, 1010 Tenth St., Suite 6500, Modesto, CA.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors. If you have any questions, please call Sonya Harrigfeld of the Parks and Recreation Department at (209) 525-6770 between the hours of 8:00 a.m. and 5:00 p.m. or visit the offices at 3800 Cornucopia Way, Suite C, Modesto, CA.

BY THE ORDER OF THE BOARD OF SUPERVISORS

DATED: August 30, 2011

ATTEST: CHRISTINE FERRARO TALLMAN
Clerk of the Board of Supervisors
County of Stanislaus, State of California

BY: 
Elizabeth A. King, Assistant Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Sep 24, 2011

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at

MODESTO, California on

September 29th, 2011

(By Electronic Facsimile Signature)

Marie Hickman

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BY THE ORDER OF THE BOARD OF SUPERVISORS. DATED: August 30, 2011. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk
Pub Dates Sept. 24, 2011